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Winter 1992

### Alumni Quarterly - Issue No. 42

University of Maine School of Law

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# SCHOOL OF LAW

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## University of Maine

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*Judge Frank M. Coffin*

Creation of the Frank M. Coffin Lecture on Law and Public Service honors a long-time friend of the Law School and one of the distinguished members of the United States judiciary. The Lecture series is the product of a joint inspiration of the Law School faculty and Judge Coffin's group of former judicial clerks. The Lecture will enable the School to bring to campus a leader of the legal community to engage in several days of discussion and visit with the Law School, the University of Southern Maine, and the Portland community.

The Law School has announced the initial Coffin lecturer. He will be

### **Frank M. Coffin Lectureship Established**

#### **First Lecture in Fall 1992 to Feature Former Supreme Court Justice William J. Brennan, Jr.**

Retired Associate Justice William J. Brennan, Jr. Justice Brennan will visit the School during the week of September 28, 1992. Plans for the visit are being prepared.

Coffin, highly respected as a jurist, was held in equally high regard as a practicing attorney and in service to the government. A Maine native, he graduated from Bates College and received his law degree from Harvard. From 1947-56, he practiced law and from 1957-60, he served as a member of the U.S. House of Representatives from the Second District of Maine. He was Chairman of the Maine State Democratic Committee from 1954-56 and with Hon. Edmund Muskie, is credited with turning Maine into a true two-party state.

Coffin's commitment to the public includes serving as the Deputy Administrator for the Agency for International Development from 1961-64, and as the U.S. Permanent Representative to the Development Assistance

Committee of the Organization for Economic Co-operation and Development from 1964-65.

In 1965, Coffin was appointed to the United States Court of Appeals for the First District by President Lyndon B. Johnson. He served as Chief Judge from 1982-83 and now serves as Senior Judge. From 1986-89, he was Adjunct Professor of Appellate Advocacy at the Law School.

The Coffin Lectureship will honor the distinguished career of Judge Coffin and will feature speakers motivated by the theme of Law and Public Service. "We could not be more pleased about having Justice William Brennan initiate the Coffin Lectureship," said Dean Donald Zillman. "His career symbolizes the integrity and commitment to public service for which the Lectureship honors Judge Coffin. We look forward to his visit in Fall, 1992." ■

# Alumni Quarterly

**Number 42**

**Winter 1991**

**Portland, Maine**



## Justice and Gender A New Look at Women and the Law



**Conference speakers: Kathleen Mahoney, Judy Scales Trent, Ann Scales, Elizabeth Schneider, Hon. Anne Simon.**

Feminist jurisprudence theory recognizes that the law is not neutral, that it is built on a male point of view and that it needs to incorporate the perspectives and experiences of women. How to identify those features and correct the system — how to put feminist legal theory into practice — was the focus of the day-long conference, “Justice and Gender: A New Look at Women and the Law,” held on Saturday, October 19, 1991, at the Sonesta Hotel.

The Conference was conceived and directed by the Law School’s Student Bar Association with the support of the School. The Conference, by coincidence, was held just days after the Senate Judiciary Committee hearings on the sexual harassment charges brought by Anita Hill against Clarence Thomas. It attracted close to 150 lawyers, judges, professors and students. The lessons of the Thomas hearings were mentioned by speakers and at workshops throughout the day.

Ann Scales, Professor at the University of New Mexico School of Law, identified basic premises and challenges of feminist legal theory in her Keynote Speech. “The neutrality of law is a pretense. One group gets its non-neutral viewpoint adopted as neutral,” she said. “In order for Anita Hill to have been believed by the Senate Judiciary Committee, she would have had to act as *they* would have — and that is *not* neutral.”

Other legal scholars focused on current issues. The Hon. Anne Simon,

Administrative Judge for the Department of Environmental Protection in Boston, explored feminism and ecology. Elizabeth Schneider, Professor at Brooklyn Law School and visiting Professor at the Harvard Law School, and longtime advocate for battered women, spoke on women and violence. “While the last twenty years have brought widespread recognition that it is a serious problem,” she said, “there has been an extraordinary resistance to an understanding of what battery is all about . . . The interconnectedness of battered women with the entire nature of the family . . . a focus on the man who batters as well as the woman . . . We need to see the problem of violence against women as part of the larger problem of gender discrimination in this country. To confront that means confronting how we live and how we operate and many people do not want to do that.”

Judy Scales Trent, Professor at Buffalo School of Law, described her work-in-progress, an examination of Equal Rights Advocates, a San Fran-



**Elizabeth Schneider: “Violence Against Women”**

cisco group providing legal services. The group has found that a focus on the problems of women of color has meant “automatically picking up issues affecting others — employment discrimination, minimum wage, pregnancy, immigration, civil rights.”



**Kathleen Mahoney: “A Canadian Perspective: Feminist Theory in Practice”**

A professor at the University of Calgary Law School, Kathleen Mahoney offered a Canadian perspective, describing the commitment to equality for women provided by the Canadian Charter of Rights and Freedoms adopted in 1982.

Afternoon workshops focused on hate speech/pornography, race and gender bias in the courts, employment discrimination, women in legal education and in the legal profession, sexual harassment, reproductive rights, family law and violence against women. Facilitators included the morning speakers, professors from the Law School, practicing attorneys and judges.

The Portland law firm of Bernstein, Shur, Sawyer & Nelson hosted a reception. Other sponsors and supporters of the Conference were the Maine Humanities Council, Canadian Legal Studies Program, Maine Committee on the Status of Women Attorneys, and the Law School’s Lesbian/Gay Law Caucus, Women’s Law Association, National Lawyers Guild, and Black Law Students Association. ■



**Jessica Maurer '92, primary organizer of Conference, with Ann Scales, Keynote speaker**



## Maine Fellows Honored

Charter Fellows of the Maine Bar Foundation were honored at a lunch on September 20, 1991. Maine alumni include Kathryn Monahan Ainsworth '76, Jon R. Doyle '61, Linda Smith Dyer '80, David J. Fletcher '71, Phyllis G. Givertz '74, Hon. Margaret J. Kravchuk '76, Mary L. Schendel '76 and faculty members Dean and Professor Emeritus Edward S. Godfrey, Professor Judy Potter and Professor L. Kinvin Wroth. ■



*Students took time out to watch the Senate Judiciary Committee hearings on Professor Anita Hill's sexual harassment allegations against Judge Clarence Thomas.*



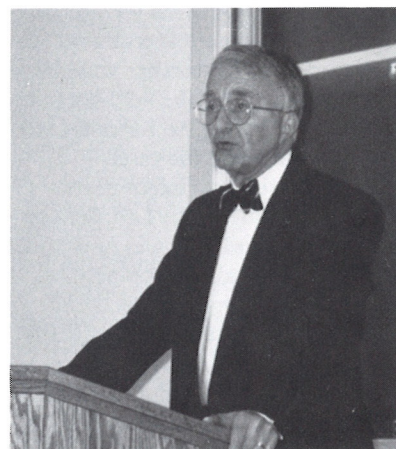
*Panelists who talked about working in environmental law included Thomas Doyle, Pierce, Atwood; Peggy McCloskey '84, Attorney General's Office; Beth Ahearn '88, Maine Audubon Society; Brooke Barnes '86, Maine Department of Environmental Protection; and Cliff Goodall '72, Dyer, Goodall & Larouche. The panel was sponsored by the Environmental Law Institute.*



*Maine's Tri-Lateral Moot Court Team: Maura Keaveney, Carol Ford, Tracey Geary and Laura O'Hanlon, all '92. Maine hosted the event, at which teams from Dalhousie Law School, the University of New Brunswick Law School and Maine argued a hypothetical case involving discrimination on the basis of sexual orientation under the Human Rights Code. Dalhousie was the winner of the competition. Maine's Laura O'Hanlon was chosen best oralist.*

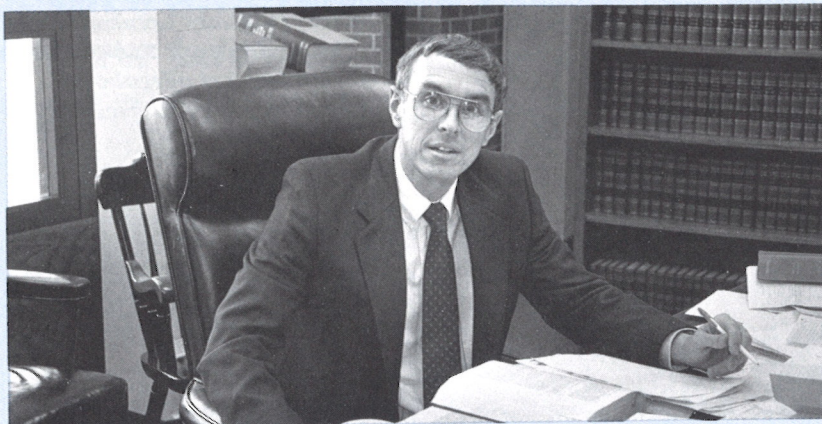


*Left to right, USM President Richard L. Pattenau, Dean Donald N. Zillman and Law Librarian William W. Wells at a groundbreaking ceremony for the Law Library addition. The addition is a result of the 1988 bond issue and additional support from Maine law firms. The addition is scheduled to be complete by the Fall, 1992 semester.*



*Ralph I. Lancaster, Jr., senior partner at Pierce, Atwood, Scribner, Allen, Smith & Lancaster and immediate past chairman of the American Bar Association's Standing Committee on the Federal Judiciary, spoke at the Law School on November 7 about the Committee's involvement in reviewing federal judicial appointments, including that of Justice Clarence Thomas.*





**Dean Donald N. Zillman**

## Dean's Column

These are times of joy and agony. The agony stems from the continuing financial crises in the State. Many of you will have followed the latest cycle of sour economic news, reduced State income, and restructured State budgets. As I write on November 20, it appears that the Law School may face the most significant reduction of funds yet. We will spend a very challenging Holiday season trying to work out the implications of the cuts on Law School activity.

If we are not rich in the wallet, we are rich in the intellectual substance that makes a Law School a special place to be. That is reason for joy. In the last Dean's column, I promised that October and November would look even better than the very busy September we had at the School. Let me see if I can make the case!

We begin with two major developments in the life of the Law School. The Frank Coffin Lecture in Law and Public Service headlines this newsletter. The ability to spend several days in intellectual company with Justice William J. Brennan, Jr. describes what the lectureship is all about. The Lectureship honors one of Maine's most distinguished citizens and a long-time friend and supporter of the School.

The second major development is the creation of a Board of Visitors for the School. The Board is composed of 29 distinguished lawyers, business leaders, and friends of the School. We will ask them to visit with us yearly and to offer their thoughts on the strengths and weaknesses of the School. The next issue of the Alumni Quarterly will feature the Board and

discuss its first meeting. Needless to say, we are excited to ask such valued friends to assess what we do.

Several special programs in October and November excited and challenged us. Joan has described them with her usual thoroughness elsewhere in the issue. I add merely some subjective impressions. The Gender and Justice Conference in mid-October did many things. It allowed valuable discussion about feminist jurisprudence, one of the most stimulating fields of legal scholarship — for men and women. It also provided a chance to assess the state of women in the legal profession in Maine. Three weeks later the Trilateral Moot Court competition provided a chance to entertain colleagues from the University of New Brunswick and Dalhousie. The competition was spirited. The judging was exceptionally strong. The closing lunch was a gathering of friends, rather than the suspicious eyeing of opponents and recalculation of score sheets that Moot competitions can become. Last week, a fine gathering of alumni joined in celebration at the Portland Country Club for the Annual Dinner. Your Dean remains embarrassed over how many of our 1,700 he has yet to meet. He remains delighted at the support they show for the School. We hope that we live up to the high praise offered by Chief Justice McKusick in his banquet remarks.

In closing, special thanks and affection to Kay Evans who has left her position as Director of the Law Related Education Program at the School. Kay has made the program in her years as Director. Theresa Bryant carries on in able fashion. ■

## Faculty News

On October 11-13 Dean **Donald N. Zillman** attended the Inter-University Seminar on Armed Forces and Society held in Baltimore. He was chair of the panel on Law and Ethics and presented a paper entitled, "Judicial Review of Military Decisions: A Study of the Impact of Supreme Court Precedents."

Along with Professors **Merle W. Loper** and **Michael Mullane**, Dean Zillman took part in a mock hearing on the questions of whether the AIDS Coalition has a constitutional right to run graphic Public Service Announcements over the local "Public Access" channel and whether the Franchise Agreement or the contract with the City gives the City the authority to censor material played over the local Public Access channel. The hearing was part of the Southern Maine Cable Television Consortium's 3rd Annual Dynamic Community Television Conference held on November 6 at the Sonesta Hotel in Portland.

Professor Mullane is serving on the steering committee of the Maine Bar Foundation's Legal Needs Study Implementation Committee.

Dean and Professor Emeritus **Edward S. Godfrey** is the author of "Structure of the Maine Court System 1956-1991," published in the *Maine Law Review*, Volume 43, No. 2, October, 1991.

Professor **L. Kinvin Wroth** was on the faculty of the domestic torts session of the Maine State Bar Association's Continuing Legal Education Program, "Emerging Issues in Domestic Practice," held on December 6 in Portland. He is a member of the legislatively created Commission to Study the Future of Maine's Courts and was reappointed in September 1991 to a fourth two-year term on the Board of Directors of Pine Tree Legal Assistance, Inc. Wroth is the author of "Vincent L. McKusick and the Maine Rules of Civil Procedure: A Thirty-five Year Perspective," published in the *Maine Law Review*, Volume 43, No. 2, October, 1991.

Wroth also spoke before the Rockland Rotary Club on November 15 on "Implementation of the Maine Legal Needs Study." On the same day he made a presentation to Maine's trial and appellate judges at the Maine Judicial Conference in Portland on the proposed Maine Code of Judicial Conduct. He was principal drafter of the proposed Code. He organized and moderated a panel, "Canada's Constitutional Crisis: Quebec and the West" at the biennial



meeting of the Association for Canadian Studies in the United States, held in Boston on November 22.

At this year's annual Alumni Dinner held on November 16, Professors **David P. Cluchey, Mel Zarr and Judy Potter** spoke on the "New" Supreme Court. Dean Zillman moderated. Professors Cluchey, Wroth and Zarr are serving as consultants to the Maine Supreme Judicial Court's Special Advisory Committee on Cameras in the Court Room; they will evaluate the two-year experiment with electronic and photographic coverage of trial proceedings.

Professor Zarr organized and conducted the Maine Sentencing Institute and other judicial education activities in connection with the Maine Judicial Conference in Portland on November 14-15.

Professor **Orlando E. Delogu**, Libra Professor, participated in the 1991 Viscount Bennett Seminar held November 13-14 at the Faculty of Law, University of New Brunswick in Fredericton, New Brunswick. The annual event features a Viscount Bennett Memorial Lecture and Seminar. Professor Delogu was on a panel entitled "Litigating for the Environment: The Role of the Citizen."

**Thomas French**, Assistant Law Librarian for Public Services at the Garbrecht Law Library, made a presentation on "Canadian Legal Research" at the Northeast Regional Law Library Conference held in Philadelphia on November 7-10. ■



***Teresa Bryant, new Director of the Law-Related Education Project, is a graduate of the University of Pennsylvania Law School. She formerly clerked for Hon. Edward T. Gignoux, practiced with Drummond Woodsum Plimpton MacMahon, and has served on the boards of Pine Tree Legal Assistance, Inc. and the Maine Bar Foundation.***

## The Class of 1991

Steven W. Abbott  
 Claire M. Adami  
 James P. Aucoin  
 Joseph M. Baldacci  
 Douglas C. Baston  
 David Bate  
 Kevin J. Beal  
 Shawn K. Bell  
 Monica M. Bigley  
 Michael M. Bowden  
 Mary K. Browne  
 Robert C. Brooks  
 Barbara Butler Merrill  
 Matthew E. Campbell  
 Vickie A. Caron  
 Allison M. Carrier  
 Alexandra E. Caulfield  
 Roger A. Clement  
 Peter Clifford  
 Nathan Quinn Collins  
 James L. Costello  
 Daniel E. Driscoll  
 Anne E. Dunigan  
 Joseph A. Enriques  
 Kenneth F. Ginder  
 Jacqueline L. Gomes  
 Henry W. Griffin III  
 Abigail H. Harkins  
 Lorna J. Harmuth  
 Daniel R. Hartley  
 Donald S. Hownblower  
 Elizabeth Biddle Jennings  
 Robert E. Jones  
 Michael C. Kearney  
 Kenneth D. Keating  
 Lauren S. Kolitch  
 Virginia A. Kozak  
 Lou Rae Langevin  
 Kenneth A. Lexier  
 Frederick L. Lipp  
 Anne C. Lucey  
 Scott J. Lynch  
 Andrew B. MacLean  
 Lawrence A. MacLeod, Jr.  
 Justina A. McGettigan  
 Peter Mosca  
 James C. Munch  
 Julie Nepveu  
 Dennis J. O'Donovan  
 Russell B. Pierce, Jr.  
 William J. Phillips  
 Deborah L. Pope  
 Stephen V. Richardson  
 Helaine B. Roberts  
 James M. Saffian  
 Penny St. Louis  
 Nancy V. Savage  
 William B. Scarpelli  
 Deborah L. Shaw  
 Andrew J. Smith  
 Robert L. Stickney  
 Dale Thistle  
 Dawn M. Thomas  
 Christina K. Valar

Pierce, Atwood, Scribner, Smith, Allen & Lancaster, Portland  
 Board of Bar Overseers, Augusta  
 District Attorney's Office, Bangor  
 own practice, Bangor  
 Howard & Bowie, Damariscotta  
 Law Clerk, U.S. Magistrate, Federal District Court, Bangor  
 Preti, Flaherty, Beliveau & Pachios, Portland  
 Isaacson & Raymond, Lewiston  
 Law Clerk, Maine Supreme Judicial Court  
 Halpert & Scoliard, Providence, RI  
 South Shore Elder Services, Braintree, MA  
 Verrill & Dana, Portland  
 Law Offices of Philip Merrill, Augusta  
 Northeast Land Title, Enright & Denley, P.A., Portland  
 Verrill & Dana, Portland  
 Eaton, Peabody, Bradford & Veague, Bangor  
 Drummond & Drummond, Portland  
 Verrill & Dana, Portland  
 Monaghan, Leahy, Hochadel & Libby, Portland  
 Lane, Powell, Spears & Lubersky, Seattle, WA  
 Law Clerk, U.S. District Court, Portland  
 Morrison, Mahoney & Miller, Boston, MA  
 David Wakelin & Associates, Portland  
 Dailey, Hiltz & MacLean, West Bridgewater, MA  
 Law Clerk, Maine Superior Court  
 Law Offices of Patrick Hunt, Island Falls  
 Sentencing Options, Portland  
 Law Clerk, Office of the Governor, Augusta  
 Amerling & Burns, Portland  
 Casassa & Ryan, Hampton, NH  
 Law Office of David Sanders, Livermore Falls  
 Strout, Hokkanen & Pelliccia, Rockland  
 Brown, Tibbetts, Churchill & Lacasse, Calais  
 Amerling & Burns, Portland  
 Law Clerk, Maine Supreme Judicial Court  
 Langrock, Sperry, Parker & Wool, Burlington, VT  
 Law Clerk, U.S. Claims Court, Washington, DC  
 Navy JAG  
 Wright & Mills, Skowhegan  
 Beagle, Pearce, Feller & Ridge, Portland  
 Federal Communications Commission, Washington, DC  
 Rocheleau, Fournier & Lebel, Lewiston  
 Law Offices of James Hopkinson, Portland  
 Baker & Hayes, Lebanon, NH  
 District Attorney's Office, York County  
 Law Clerk, New Jersey Superior Court  
 Law Clerk, U.S. Bankruptcy Court, Bangor  
 Law Clerk, U.S. Claims Court, Washington, D.C.  
 Verrill & Dana, Portland  
 Norman, Hanson & DeTroy, Portland  
 McLane, Graf, Raulerson & Middleton, Manchester, NH  
 Preti, Flaherty, Beliveau & Pachios, Portland  
 Recoll Management, Portland  
 Sheehan, Phinney, Bass & Greene, Portsmouth  
 Law Clerk, Maine Supreme Judicial Court  
 Preti, Flaherty, Beliveau & Pachios, Portland  
 Pierce, Atwood, Scribner, Smith, Allen & Lancaster, Portland  
 Campbell & Associates, Boston, MA  
 Law Clerk, Maine Supreme Judicial Court  
 Paine, Lynch & Harris, Bangor  
 own practice, Rumford  
 Lobbyist, Augusta; represents Maine Trial Lawyers Association  
 Blake & Hazard, Belfast  
 Cleveland, Waters & Bass, Concord, NH



# Law School Hosts Forensic Child Psychiatry Workshop

by Professor Michael W. Mullane

The Law School hosted an all day workshop entitled *Selected Topics in Forensic Child Psychiatry* on Friday, November 15th. The workshop was co-sponsored by the Maine Medical Center and the Dartmouth Medical School-Brattleboro Retreat. The workshop is a direct extension of the Forensic Psychiatry Program jointly operated by the Cumberland Legal Aid Clinic and the Maine Medical Center Departments of Child and Adult Psychiatry. The Workshop was attended by law students from the Cumberland Legal Aid Clinic, Psychiatric Fellows from the Maine Medical Center, medical students from the Dartmouth Medical School, and faculty from all three institutions. Also in attendance were clinical mental health professionals practicing in Southern Maine.

The workshop featured a presentation by Dr. Diane Schetky on basic principles of Forensic Child Psychiatry. Dr. Schetky also addressed a number of current and emerging issues in the field. Dr. Schetky is a nationally renowned expert in forensic child psychiatry. The second edition of her text *The Clinical Handbook of Child Psychiatry and the Law*, co-authored with Dr. Elisa P. Benedik, was recently released by Williams & Wilkins.

Dr. Robert Rascusin of Dartmouth Medical School presented a case study involving an extended forensic evaluation in a child custody dispute. Dr. Rascusin and Dr. Schetky then led a discussion of issues raised by the case presentation.

During the afternoon, Professor Michael Mullane spoke on "The Use and Abuse of Experts by Lawyers," followed by Professor Potter's presentation on "Child Abuse Issues From the Lawyers' Perspective." The workshop concluded with a panel discus-

sion focussing on professional and ethical problems for both the lawyer and mental health professional. Dr. Peter Goldfine of Maine Medical Center Child Psychiatry Department, and Dr. Stewart Copans of Dartmouth joined Professor Potter, Dr. Schetky, and Dr. Rascusin on the panel. Professor Mullane moderated the discussion. The primary focus of the discussion centered on those problems affecting the practitioner in small or rural communities.

The Forensic Psychiatry Program is in its third year. The Program was originally conceived by Professor Judy Potter of the Law School and Dr. Peter Goldfine, Chief of Child Psychiatry at Maine Medical Center. Maine Medical Center offers advanced training for residents in its Adult Psychiatry Department and for Fellows in the Child Psychiatry Department. Both programs provide a two year intensive experience in their respective fields for psychiatrists wishing to specialize. The accrediting requirements of both programs require that all participating Residents and Fellows obtain training in the forensic applications of adult and child psychiatry.

Dr. Goldfine initially invited Professor Potter to participate in the forensic portion of the Child Psychiatry Fellowship program on an informal basis. Before long they each realized the benefits of a joint program fully involving the Cumberland Legal Aid Clinic student attorneys and supervising attorneys. The Forensic Psychiatry Program was the result. The two institutions entered into a formal agreement approximately two years ago. The Law School's participation in the Program is partially underwritten by a grant from the Department of Education. The grant is in the second year of a three year term, expiring in the

summer of 1993.

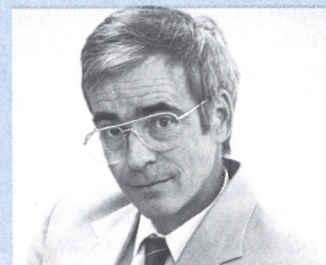
The Forensic Psychiatry Program provides instruction and training to both the Psychiatric Fellows and Student Attorneys in the Cumberland Legal Aid Clinic through monthly seminars conducted throughout the academic year. Instruction is provided by Professors Potter and Mullane from the law school, Dr. Schetky, and Drs. Goldfine and Heath from Maine Medical Center. Other members of the Law School Faculty, including the I.O.L.T.A. Visitor also participate, as do a large number of the staff at Maine Medical Center and McGeachy Hall. The program provides the student attorneys in the Cumberland Legal Aid Clinic an insight into the use of expert witnesses.

A unique aspect of the Forensic Child Psychiatry Program is the use of the Psychiatric Fellows to provide forensic evaluations in actual cases being handled by the Cumberland Legal Aid Clinic. Acceptance of any case for forensic evaluation is jointly decided upon by the faculty of both the Clinic and Maine Medical Center. Clients are subject to a sliding scale of charges for the evaluation. The scale is that used for out patient treatment at McGeachy Hall and ranges from full rate down to zero. Given the economic qualification for clients of the Cumberland Legal Aid Clinic, financial considerations have not proved an obstacle in any case.

The supervising attorney assists in formulating the precise legal purpose and factual issues to be addressed by the evaluation. The psychiatric evaluation is performed under the direct supervision of a faculty member from Maine Medical Center. The program enables the Clinic to offer expert consultations, evaluations, and testimony at little or no cost. The need for such expertise typically arises in a wide

## Michael W. Mullane

Professor Mullane joined the Law School in 1987 and in 1988 became the Director of the Law School's Cumberland Legal Aid Clinic. Before coming to the Law School he practiced law at a private firm in Arizona specializing in civil litigation, including general commercial litigation, professional malpractice, fraud, construction claims, insurance law, product liability and tort. Between earning his Bachelor's and J.D. degrees, both at Notre Dame University, Professor Mullane spent five years in the United States Navy as an Aviator. In addition to supervising the Clinic, he teaches Evidence and Trial Practice. ■





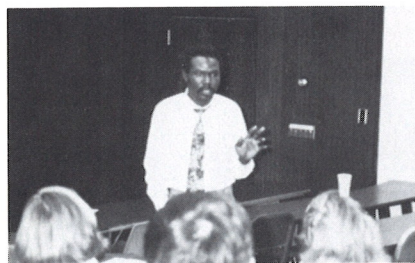
variety of the cases handled by the Clinic, including: child protective matters, custody disputes, and sentencing proceedings. Psychiatric evaluations and testimony can also prove invaluable on issues arising out of substance abuse problems.

The major problem in the program has consisted primarily of matching suitable cases with available Fellows in a time frame meeting the demands of both court and hospital.

A key element of the program has been the continued involvement of Dr. Diane Schetky. Although Dr. Schetky is utilized as a forensic expert by courts and attorneys nationally, she maintains a private clinical practice in Rockport, Maine. This year Dr. Schetky's interaction with the Cumberland Legal Aid Clinic has been expanded to include a number of occasions when she will make herself available in the Clinic to consult with the student attorneys on any aspect of their pending cases, even if it does not involve a formal referral to a Fellow for evaluation. Beyond the enhancement of the representation provided to clients, this feature is intended to provide more student attorneys an opportunity to work directly with an experienced forensic expert.

The faculty has also developed a hypothetical case involving competing experts in a criminal case. The case material is drawn from the transcripts and records of a real case tried in Maine several years ago.

The Forensic Psychiatry Program has proven a valuable enhancement to the Law School's clinical programs. The Program has increased the educational opportunities available to student attorneys and provided an otherwise unavailable resource to clients of the Cumberland Legal Aid Clinic. ■



**Ahamat Omran, a lawyer from Chad currently working in Portland, spoke on "The Middle East, Islamic Law & Human Rights," on November 20. His speech was sponsored by the International Law Society.**

## Other Events at the Law School

September 20: Dean Geoffrey Stone, University of Chicago School of Law, spoke on "The Bill of Rights: Original Intent in the 3rd Century." His talk was sponsored by the Law School and the Maine Civil Liberties Union.

October 14: Professor Judy Potter led an open discussion on the issue of sexual harassment.

October 15: Martha Gaythwaite of Friedman & Babcock spoke about her experiences as an environmental attorney. She has represented a number of citizens groups including STOP, a group against the proposed coal cogeneration plant in Bucksport, and citizens of Norridgewock fighting a hazardous waste facility in that town. Her speech was sponsored by the Environmental Law Society.

October 16: The Student Bar Association sponsored an informational discussion on the School's policy on discrimination in placement. It was led by Dean Zillman, Associate Dean Khoury and Professors Friedman and Ward.

November 4: The Student Bar Association in conjunction with the Lesbian/Gay Caucus and the National Lawyers Guild presented a panel discussion on placement discrimination and armed forces recruitment on campus. Panelists included Mary Benauto, Lesbian/Gay Advocates and Defenders; Robb Bettiker, MIT graduate discharged from the military ROTC for being gay; and Anne Courtney of Murray, Plumb and Murray and a member of the Maine Civil Liberties Union. Associate Dean and Professor Colleen Khoury moderated.

November 13: Environmental Law Professor Catherine Redgwell of the University of Nottingham in England spoke about the environmental initiatives in Western Europe. The lecture was sponsored by the Environmental Law Society in cooperation with the International Law Society.

November 13: Judy Dickinson, Litigation Director, New Hampshire Public Defenders' Office, talked about working in the N.H. Public Defenders' Office.

November 19: Lee Farris, Southern Africa Coordinator for Boston Mobil-

ization and international observer to the first ANC Conference held in July, 1991, presented an inside look at the liberation struggle in South Africa. Her visit was sponsored by the Black Law Students Association.

November 22: The in-house corporate counsel for Reebok International, Ltd., John D. Mitchell, spoke on the role of in-house corporate counsel, with special emphasis on trademark infringement actions.

November 25: Robert Briggs '73, President of Bangor Hydro-Electric Company, spoke on the responsibilities of being a utility executive. ■



**Professor James Friedman and Dean Don Zillman with Vice Dean Krassimira Sredkova of the Sofia University Faculty of Law, Bulgaria. Vice Dean Sredkova visited the Law School from September 21-27 as part of the ABA Central and East European Law Initiative.**

## Trophy Giveaway

Our trophy case runneth over! As Moot Court teams receive awards each year, we find ourselves without the space to display a number of awards received by past athletic teams. Some are gigantic! They include trophies for 1970 American League Softball, 1970 Slow Pitch League and 1972 Baseball; and plaques for 1969 Intra-mural Football, 1970 Intra-mural Softball and 1977 Intra-mural Basketball. Anyone who would like one of these trophies should contact the Alumni Office. First come, first served!



# Annual Dinner

At the Law Alumni Association's Annual Meeting and Dinner, new board members and officers were elected for 1992, 1991 President David B. Hawkes '69 was thanked for his leadership, reunion classes had their own gatherings and Hon. Vincent L. McKusick addressed the audience.



*Craig H. Nelson '69,  
President-Elect*

## Nelson to Lead Alumni Association in 1992

Craig H. Nelson '69 was elected President of the Alumni Association for 1992. Nelson, partner at Doyle & Nelson, Augusta, has been a board member for four years. This year he is Chairman of the Annual Fund Campaign. Other officers elected include Vice-President David J. Corson '69, who practices in Yarmouth; Secretary Elizabeth R. Butler '79, Pierce Atwood, Scribner, Smith, Allen & Lancaster, Portland; and Treasurer June D. Zellers '86, Skelton, Taintor & Abbott, Auburn.

Board members elected to three-year terms include F. Mark Terison '78, U.S. Attorney's Office, Portland; Susan G. Shorey '81, KPMG Peat Marwick, Portland (to a second three-year term); Arlyn H. Weeks '81, Conley, Haley, O'Neil & Kaplan, Bath; Robert V. Hoy '83, Platz & Thompson, Lewiston; George F. Eaton, II '84, Eaton, Peabody, Bradford & Veague, Bangor (to a second three-year term); and Jeri E. Brown '85, Deputy Commissioner, Department of Insurance, Augusta.



*Chief Justice Vincent L. McKusick*

## McKusick Suggests Two New Cooperative Initiatives

Chief Justice Vincent L. McKusick began his speech at the Annual Dinner with a list of the many contributions the Law School has made to the State. He started by mentioning the number of judges and other officials who are alumni — Justice Daniel Wathen on the Maine Supreme Judicial Court, half of the justices on the Maine Superior Court, half of the District and administrative judges, half of the District Attorneys, half of the probate judges, and of course, the Governor. Without the faculty and their work in rule-making, judicial discipline and writing legislation, and without the Maine Law Review, we would all be poorer, he commented. "The Law School has taken us over."

McKusick said he views the legal profession as a three-legged stool, with one leg being the practicing bar, the second being the judiciary and the third being the Law School. "The Law School has grown to its full strength and length to match the other

two," he said.

Two ideas he would like to see supported in Maine need the support of all three legs of the stool. He would like to see Maine establish an American Inns of Court, a group of judges, lawyers and law students concerned about ethics and professionalism who meet monthly for role-playing or educational programs. The first Inns of Court in this country was organized in Utah in 1981. Chief Justice McKusick believes there is a growing need for skills training and professional development. "The practice," he said, "is more impersonal, the size of the bar is larger, litigation plays a more important role, and there seems to be a decline in civility, even in Maine, among lawyers and between lawyers and judges."

The second project he urged is the creation of a mechanism for supplemental funding of continuing judicial education. "There is no surer way to judicial burnout than a judge's feelings of isolation and there is no better antidote than judicial education." He believes both projects are able to be done "with the full support of all three legs of the stool." ■



*1992 Officers of the Board: Craig H. Nelson '69, President; David J. Corson '69, Vice-President; Elizabeth R. Butler '79, Secretary; June D. Zellers, '86, Treasurer.*





*Members of the Class of 1981 at Annual Dinner: front—Susan Shorey, Martha Finnegan, Arlyn Weeks, guest; back—Arthur Dingley '79 (Shorey's husband), guest, Eve Cimmet with husband Joe, Gail Wright with husband Jim Buckley '79.*



*The Class of 1971 stayed after the Annual Dinner to continue their 20th reunion: John Walker, Jerry McAuliffe, Bob Hanson, Joe Jabar, Bob Noonan, David Fletcher and Ron Cullenberg.*



*Shari Broder, David Farrar, Eric Bryant and Marti Willard, all '86, at Annual Dinner.*



*Some members of the Class of 1976 at Annual Dinner: Barbara Alexander, Jean Deighan, Harold Hamilton, Joan Kidman, Ira Waldman, Lyn Ballou, Peggy Kravchuk, Charlie Kean, Susan Hunter and Helen Eddy. Mary Schendel entertained the 15th reunion class before the Dinner.*



*Professor Judy Potter spoke about the "new" Supreme Court at a panel held before Annual Dinner. Other panelists were Professors David Cluchey and Mel Zarr. Dean Zillman moderated.*



*The Class of 1986 gathered at the Galley in Falmouth after the Annual Dinner: Brooke Barnes, Liz Armstrong, Lynn Van Note.*



*Jennifer Begel and Kaighn Smith*





David B. Hawkes '69

## President's Column

This is the last column I will write as President of the Alumni Association for 1991. I could not have chosen a more exciting year to represent the organization. A new dean, a budget crisis, faculty-alumni initiatives, and alumni-student programs all contributed to my personal feeling of challenge and excitement.

Those of you who have participated in Law School events this year have to have felt the electricity as well. Dean Zillman's energy, creativity, and capacity to listen to and learn from others has been instrumental in generating a new enthusiasm among alumni, faculty and students. The willingness of people to contribute their time and energy to further the Law School's goals has been remarkable. We would need to triple the size of the Board and shorten Board terms in order to take advantage of all the people who are interested in serving on the Alumni Board. Similarly, the First-Year Student Orientation Program would need to last several days in order to include all Association members interested in participating in panel discussions. Alumni have demonstrated an overwhelming eagerness to work with faculty in order to enhance the student body's learning experience.

Indeed, despite internal changes and economically trying times, 1991 has been a successful year for the Law School. I'd like to thank all who contributed to this success and ask that you continue to share your much-needed support and ideas. Good luck in 1992! ■

## Alumni News

**'65** Hon. Daniel E. Wathen is the author of "Sentencing and Statistics," published in the September 1991 issue of the *Maine Bar Journal*.

**'68** Peter M. Weatherbee was a panel member at the Maine State Bar Association's program, "The Workers' Compensation '91 Amendments," held on October 31 in Portland.

**'70** Malcolm L. Lyons conducted a seminar on trial strategy for the Maine Association of Paralegals at Sebasco Estates on September 16.

**'71** Richard S. Emerson, Jr. was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Defending the Criminal Case in Federal Court: Blockbusters of the Federal Criminal Defense Bar," held on October 4 in South Portland. Fernand Larochelle presented a talk on "Safety and Health Issues in the Workplace" at the MSBA's CLE program, "Labor and Employment Law Update," held on November 1 in South Portland. Joseph M. Jabar was a panel member at the MSBA's CLE program, "The Workers' Compensation '91 Amendments," held on October 31 in Portland.

**'72** Peter J. DeTroy, III was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Defending the Criminal Case in Federal Court: Blockbusters of the Federal Criminal Defense Bar." Clifford Goodall spoke on "Environmental Law" and Charles K. Leadbetter spoke on "Criminal Law and Procedure" at the MSBA's CLE program, "1991 Legal Year in Review," held on October 25 in Augusta. Stanley W. Karod writes that his son Thomas is a first-year law student at The University of Maine Law School.

**'73** S. Peter Mills, III was a panel member at the Maine State Bar Association's Continuing Legal Education program, "The Workers' Compensation '91 Amendments," held on October 31 in Portland. Marc C. Owen, who has been chief counsel for the St. Lawrence Seaway Development Corporation, U.S. Department of Transportation since

Hon. Harris R. Bullerwell '50 died November 21 at the age of 84 at his home in Rockland after a long illness. A lawyer and judge in both Maine and Alaska, he was born in Boston in 1907, attended Boston public schools, Suffolk University, and graduated first in his class from Portland University Law School in 1950. He was a partner in the law firm LaBlanc & Bullerwell from 1950 to 1961 and also judge of Westbrook Municipal Court from 1954 to 1958. In 1962 he was admitted to practice in Alaska. He served as city attorney in Fairbanks and was the legal advisor for Valdez after the 1964 earthquake. He also served as city attorney for Ketchikan and was appointed the first permanent district court judge at Wrangell Petersburg Court. For a hobby, he built houses in the places he lived in Alaska and continued his building projects after he retired to Maine in 1976. He completed his last one, a deluxe duplex and garage on Gay Street in Rockland, as he turned 80. ■

October 1988, joined the Senior Executive Service of the U.S. Government last January. His son Andrew is now 2½ years old.

**'74** The Honorable Dana A. Cleaves lectured on the topic, "Interstate Child Custody Matters," at the MSBA's CLE program, "Emerging Issues in Domestic Practice." Peter Fessenden was on the faculty at the Annual National Association of Chapter Thirteen Trustees in Vancouver, British Columbia. He presented a workshop in "Small Office Administration." Stephen P. Lagoy, partner in Lagoy and Lyons, West Chester, PA, has been appointed to the new Penn State Great Valley Advisory Board. Penn State Great Valley is the University's southeastern Pennsylvania center for graduate and continuing education. At the inaugural meeting of the advisory board, Lagoy was elected to chair the Development Committee for a one-year term. Since June, Allison C. Morrill has been doing research on women and AIDS at the Department of Psychology at Yale University.

**'75** Shawn C. Keenan was a member of the program committee and a lecturer for the Maine State Bar Association's Continuing Legal Edu-



cation program, "Labor and Employment Law Update," held on November 1 in South Portland. N. **Paul Gavreau** was on the faculty for the MSBA's CLE program on "Effective Advocacy in the Development of Public Policy" held in Augusta on November 22. **John L. Hammond** now works for Landstar Systems, Inc. in Connecticut.

**'76 Christopher S. Beach** completed the requirements for the degree of Doctor of Philosophy in Canadian-American History at the University of Maine with the successful defense of his dissertation, *Law, Resources and Corporate Reconstruction in Maine and New Brunswick, 1890-1930*, on November 8. During the years 1989-91 he held a prestigious Woodrow Wilson Rural Policy Fellowship. Professor L. Kinvin Wroth served as a member of his doctoral committee. **Richard G. Riendeau** ran the Boston Marathon last April in 3:13:06. He has his own practice in Pawtucket, Rhode Island and also works in the Providence City Solicitor's Office. **Andrew Brown** and wife Denise announce the birth of their son, Andrew Peter, who was born on September 27.

**'77 Frederick H. Greene, III** lectured on "Workers' Compensation" at the Maine State Bar Association's CLE program, "1991 Legal Year in Review." He was also a member of

the program committee and spoke on the "Overview of Amendments" at the MSBA's CLE program, "The Workers' Compensation '91 Amendments: A Pathway Through the Maze," held on October 31 in Portland. **Louise K. Thomas** lectured on "Torts/Insurance Litigation and Malpractice" at the MSBA's CLE program, "1991 Legal Year in Review," held October 25 in Augusta. She was also on the faculty of the MSBA's CLE program, "Emerging Issues in Domestic Practice," held on December 6 in Portland. The Honorable **Roland Beaudoin** spoke on "The Role of Guardians *Ad Litem*" at the MSBA's CLE program, "Emerging Issues in Domestic Practice." **Kay Evans**, former director of the Maine Law-Related Education Program at the University of Maine Law School, is now Assistant Executive Director of the Maine State Retirement System.

**'78 F. Mark Terison** lectured on the topic "Criminal Law and Procedure" at the Maine State Bar Association's Continuing Legal Education program, "1991 Legal Year in Review." **Elliott L. Epstein** spoke on the "Update of the Law on Wrongful Discharge" at the MSBA's CLE program, "Labor and Employment Law Update," held November 1 in South Portland. **Paula N. Singer** spoke on "U.S. Taxation of Foreign Students and Professors" at the national convention of the National Associa-

## Saucier '78 Elected to National Committee

Michael E. Saucier, chair of Maine's Juvenile Justice Advisory group, was elected Vice-chair/Secretary to the National Coalition of State Juvenile Justice Advisory Groups at a recent meeting in Santa Fe, New Mexico.

The National Coalition is composed of State Juvenile Justice Advisory Groups (JJAG) of all states and territories participating in the Juvenile Justice and Delinquency Prevention Act. The Coalition's Board of Directors is made up of the State Juvenile Justice Advisory Group chairs. Saucier, a partner in the Portland law firm of Thompson and Bowie, was elected chair of Maine's JJAG in 1990.

tion of Foreign Student Advisors held in Boston in May. She also lectured on "International Tax Aspects of Exporting" to CEOs and CFOs interested or involved in exporting goods or services through the auspices of the Small Business Development Institute and Partners for Trade in Massachusetts. In response to her comments to the administration on the high personal tax cost for Massachusetts companies relocating employees to and from the Commonwealth, she has been asked by the Weld Administration to draft the corrective legislation.

**'79 Constance P. O'Neil** was on the faculty of the Maine State Bar Association's Continuing Legal Education program, "Labor and Employment Law Update," held on November 1 in South Portland. **Judith W. Andrucki** spoke on "The Role of Guardians *Ad Litem*" at the MSBA's CLE program, "Emerging Issues in Domestic Practice," held on December 6 in Portland. **James A. Buckley** was on the faculty for the MSBA's CLE program on "Effective Advocacy in the Development of Public Policy" held on November 22 in Augusta. **Robert A. Burgess** has been promoted to the position of Senior Vice-President, heading up the Workout Department at Key Bank in



*At the Class of 1976 15th Reunion held on September 1 at Kingsley Pines in Raymond, with friends and family, are, from left to right, Barbara Alexander, Mary Schendel, Lyn Ballou and Paul Weeks, first row; Paul Macri, Susan Farnsworth, Pat McDonough, Susan Hunter and Charlie Kean, second row; and Bob Mongue, Sarah Thornton, Paula Silsby, Janet Mills and Bob Checkoway, third row.*



Augusta. **Arthur Strong** Announces the birth of his second son, Douglas Arthur (10 lbs, 6 ozs) born on October 17. In November **Linda B. Eide** spoke at the Transportation Law Institute in San Francisco.

**'80** **Gregory W. Powell** lectured on "Civil Procedure and Evidence" at the Maine State Bar Association's Continuing Legal Education program, "1991 Legal Year in Review." **Peter H. Priest** and his wife Nancy Oates are the proud parents of a son, William Wilder, born last March 11. **Mary Gay Kennedy** lectured on the topic, "The Role of Guardians *Ad Litem*," at the MSBA's CLE program "Emerging Issues in Domestic Practice," held on December 6 in Portland. **Beth Dobson** and **Martha E. Freeman** were on the faculty for the MSBA's CLE program on "Effective Advocacy in the Development of Public Policy" held on November 22 in Augusta.

**'81** **Jeffrey I. Rosenblatt** is the author, with Faye Luppi '85, of "Maximizing Damage Recovery by Fighting the Defense 'Annuity'" in the *Maine Bar Journal*, November, 1991.



*The Class of 1981 held a two-part 10th Reunion on September 20-21, a Friday night cocktail party and a Saturday picnic for families. Pictured above, Ellen Best, Bill Darrow and Eve Cimmel.*



*Deborah Firestone, Deborah Bucina Rogers and Linda Maloy.*

**'82** **Edward F. Feibel**, formerly associated with the law firm of Drummond, Woodsum, Plimpton and MacMahon, has opened his own practice in Gorham specializing in ERISA, Employee Benefits, Taxation and Business Planning. The Honorable **Nancy D. Mills** was honored at the Somerset County Bar Association's Second Annual Bar Ball held on November 16 in Waterville. **Andrea Cianchette Maker**, who is employed by Champion International Corporation of Stamford, Connecticut, serves on the Maine Coalition for Excellence in Education. She has two children, a daughter, Elana Grace born on May 13, 1990, and a son, Clay Bramhall, born on June 18, 1991. **David H. Shove** is now Director of Marketing for Empire Blue Cross & Blue Shield in New York City. He was formerly with Metropolitan Life Insurance Company. **Carolyn G. Walker** gave birth to a son, Alexander Holt, on August 8.

**'83** **Daniel R. Warren** has joined the Continuing Legal Education Committee of the Maine State Bar Association. He is also the author of an article entitled, "Attorneys on the Witness Stand," which appears in the Fall 1991 issue of *Criminal Justice*. Attorney General **Michael E. Carpenter** was on the faculty for the MSBA's CLE program on "Effective Advocacy in the Development of Public Policy" held on November 22 in Augusta.

**'84** **Lunsford D. Phillips** was named the 1991 Fisher Award Recipient by the Federal Bar Association and has been admitted as a Barrister to the Aloha Inn of the American Inns of Court. **Karen R. Tilberg**, former staff attorney for the Maine Audubon Society, is now a sole practitioner. **Sally Bradley Peacock** became a partner with Henderson, Daily, Withrow and DeVoe of Indianapolis last January. **Floyd R. Rutherford, II** was on the faculty of the Maine State Bar Association's Continuing Legal Education program on "Effective Advocacy in the Development of Public Policy" held in Augusta on November 22.

**'85** **Kenneth P. Altshuler** spoke on the topic, "The Role of Guardians *Ad Litem*," at the Maine State Bar

Association's program on "Emerging Issues in Domestic Practice" held on December 6 in Portland. **Faye E. Luppi** is the author, with Jeffrey Rosenblatt '81, of "Maximizing Damage Recovery by Fighting the Defense 'Annuity'" in the *Maine Bar Journal*, November, 1991. **Michael L. Sheehan** lectured on "Taxation" at the MSBA's Continuing Legal Education program, "1991 Legal Year in Review."

**'86** **Philip D. Cross**, formerly with the New Hampshire Public Defender's Office, has opened his own practice in Portsmouth, New Hampshire. **Martin Schindler** was a faculty member at the session on "Interstate Child Custody Matters" at the Maine State Bar Association's Continuing Legal Education program, "Emerging Issues in Domestic Practice," held in Portland on December 6.

**'87** **Eric R. Herlan** is the author of "Law as Integrity: Chief Justice McKusick's Common Law Jurisprudence," published in the *Maine Law Review*, Vol. 43, No. 2, October, 1991. **Steven J. Keable** and his wife Kathleen announce the birth of Christopher Owen Keable, born November 15, weighing 7 pounds, 13 ounces. **Joyce A. Oreskovich** spoke on "The Americans with Disabilities Act: The Countdown to Compliance" at the Maine State Bar Association's Continuing Legal Education program, "Labor and Employment Law Update," held on November 1 in South Portland. She has opened a law office with Claudia Sharon, Sharon and Oreskovich, on 44 Exchange Street in Portland. **Gwendolyn H. Lyford** recently became clerk of the District Court of Maine in Portland. She was formerly with Jensen, Baird, Gardner and Henry of Portland. **Derek P. Langhauser** was on the faculty of the MSBA's CLE program on "Effective Advocacy in the Development of Public Policy" held in Augusta on November 22. **MaryJean Kanabis** is now employed with the State of Connecticut's Division of Criminal Justice in Wallingford.

**'88** **Anthony R. Derosby** is the author of "Notice and Collective Bargaining Obligations for Plant Closings and Mass Layoffs," published in the September 1991 issue of the



*Maine Bar Journal.* **Susan H. Livingston**, formerly with Preti, Flaherty, Beliveau and Pachios of Portland, is now with Van Meer and Belanger, P.A., of Portland. **Stephen Y. Parker** has joined Edwin R. Daggett, Jr. '84 in his practice, specializing in creditors' rights.

**'89 Daniel L. Cummings**, formerly with Jensen, Baird, Gardner and Henry, has become associated with Norman, Hanson and DeTroy of Portland. **Caroline J. Gardiner**, formerly with Norman, Hanson and DeTroy, has opened her own office at 477 Congress Street in Portland. **Delia B. Pooler** and **Diane Powers** have both opened law offices at 44 Exchange Street in Portland. **Jaye Rooney**, formerly a clerk for Judge Thomas Lydon at the U.S. Claims Court, is now working as a trial attorney with the Tax Division of the U.S. Department of Justice in Washington, D.C. **Jill P. Allen** was guest lecturer for a course entitled, "Legal Environment of Health Care Management," for the Husson College Graduate Studies Division.

**'90 Martha Kelley** has moved from Maine to Georgia and is now working for Morris, Manning and Martin in Atlanta. She and her family reside in Roswell. **Nancy Wanderer MacKenzie** has joined Pierce, Atwood, Scribner, Allen, Smith and Lancaster of Portland after clerking for Justice Daniel Wathen of the Maine Supreme Judicial Court. **Dennis Doiron** is the author of an article entitled, "A Better Interpretation of the Wrongful Death Act," in the November 2, 1991, issue of the *Maine Law Review*. **Colleen Quint** has opened her own legal research and consulting business. She is doing research and policy development on fraternities for Bowdoin College and is working for a Portland law firm. **Kelly McMorran** has become associated with the law office of William Maselli '88 of Auburn. **William King** is a member of the Air Force JAG and is stationed at Elmendorf Air Force Base in Alaska. **Benjamin P. Townsend** has joined the law firm of Pierce, Atwood, Scribner, Allen, Smith and Lancaster in Augusta after a year of clerking for the Maine Supreme Judicial Court.

**'91 Daniel Driscoll** was married to Susan E. Bernstein on August 25, 1991, at Ram Island Farm, Maine. Dan and Susan are living in West Newton, Massachusetts. **Abigail Holman Harkins** is the author of "A Guide for Judicial Interpretation of Maine's Ski Liability Statute: 26 M.R.S.A. 488" in the *Maine Bar Journal*, November, 1991. ■

## Alumni in The News

During her 15 years at the Department of Justice, **Anne S. Almy '75** has had her name on over 130 opinions reported in Fed. 2d, some obscure, some notorious (*U.S. v. Fleet Factors*, 1990) and about a dozen Supreme Court merits opinions, some obscure, some notorious (*Chevron U.S.A. v. NRDC*, 1984). It was, however, her brief appearance on local television in Seattle, picked up by national television, that caught the notice of alumni friends.

Her television appearance, she reports, "was one of the first results of the federal courts' experimental program on television in the courtroom." The case involves the ongoing controversy over logging in old growth forests in Oregon and Washington and the impact of that logging on the northern spotted owl.

This particular case has been going on for several years, she explained, and is one of about 10 ongoing cases involving the northern spotted owl. Besides the Forest Service and Bureau of Land Management, which Anne represents, the timber industry and environmental groups are the major players. "The litigation," she commented, "is not going to end soon."

Litigation over the northern spotted owl is sort of a side-line for Anne. She is a supervising attorney in the Appellate Section of the Environment and Natural Resources Division of the Department of Justice, which has jurisdiction over environmental laws such as Superfund and the Clean Water Act, natural resource laws, land title laws and laws relating to Native Americans.

Her time recently has been spent on two topics. "One I call 'Waste Wars'—various states trying to prevent the in-state disposal of out-of-state generated wastes. New York is con-

cerned over low level radioactive waste; Alabama and South Carolina over hazardous waste; Idaho over special nuclear material; Nevada over high level nuclear waste; Ohio and Indiana over just plain garbage."

The other focus of her work is the integration of Superfund liability into the rules governing corporate America—"how Superfund applies to parent corporations, successor corporations, corporate officers, lenders, bankrupts, etc.," she said. "To a great extent our efforts have not made the *Wall Street Journal* happy."

During the last 15 years, Anne said, she has done a "wild variety of litigation. I have defended the Space Shuttle from a suit to enjoin its launch, supervised appeals from convictions for offenses such as 'wasting walrus,' and laundering illegally caught salmon, and defended (unsuccessfully) the right of Indians to sell liquor without a license."

Besides the spotted owl cases that promise to be around for a long time, Anne sees on the horizon reactions to the Snake River Sockeye Salmon as an endangered species and challenges to the Uruguay Round of the GATT and the North American Free Trade Area negotiations on environmental law grounds. The "wild variety of litigation" is likely to continue.

Television has also brought **Robert Ducharme '87** his "15 minutes of Warhol-like fame," he said. The press interest in the agreement reached in *State of New Hampshire v. Thomas Jache* resulted in widespread newspaper coverage, a front-page article in The Boston Globe, a segment on National Public Radio, an appearance on the Today Show, NBC Nightly News, and radio interviews around the country and in Japan. Bob was the prosecutor.

In this case, the defendant was charged with sexually molesting a nine year old boy, beginning the relationship by crafting a friendship and then slowly seducing him by showing him pornographic magazines, which evolved into mutual masturbation and mutual fellatio. As the trial was approaching, Bob said, "the defense attorney, the defendant, and the State were at odds concerning what an appropriate sentence would be." The major disagreement was over the length of the prison sentence.

A few days before the trial, Bob said, the victim started suffering severe



migraine headaches to the point where he was taken out of school. At this point Bob remembered an article he had read more than a year earlier about a convicted sexual offender who had been ordered to place his name and picture in the newspaper explaining his conviction. The victim's parents thought this was a good idea "and suggested that in exchange for a lesser prison sentence we recommend that the defendant place a full page notice in two papers, the Manchester Union Leader and the Lawrence Eagle-Tribune."

The defendant agreed, and he was sentenced in March 1990. All agreed the notice would not run until the defendant was in the Secure Psychiatric Unit in the New Hampshire State Prison as part of the Sexual Offender Program, which occurred in September, 1991.

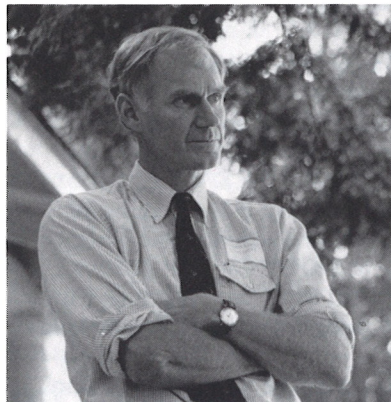
The idea of the notice was that "there is a certain portion of the sexual offender population which will, with the proper urging, come forward to get treatment," Bob explained. "Additionally, we wanted to educate the public through the use of the notice as, unfortunately, most of the people who come through the doors of this office with these types of cases believe that the only people who molest children are wearing trench coats and living underneath bridges." Thus the sentence and notice aimed to punish the defendant, deter others, rehabilitate the defendant and educate the public.

"The press response was completely unexpected," Bob said, and he finds he is uncomfortable in the public spotlight. He hopes the spotlight will disappear so the child and parents can put this experience behind them, but that will probably not happen quite yet. The notices placed in the newspapers were not full page size as specified by the State and a hearing on the State's motion to clarify the Court's order is now pending.

During October and November, Maine people could not pick up a newspaper or turn on their televisions without seeing or hearing **Everett B. ("Brownie") Carson '77**. Carson is executive director of the Natural Resources Council of Maine, which authored the November 5 referendum on Maine's transportation policies, Referendum Question #1. Its purpose was to deauthorize the widening of a

30-mile stretch of the Maine Turnpike from Exit 1 in York to Exit 6A in Scarborough and to create a new state transportation policy requiring, in part, consideration of alternatives to new road construction.

The campaign was heated. Each side said the other's position would cost Maine taxpayers money. Each side accused the other of running misleading advertisements on television. The press talked about confusion: a yes vote meant no to the widening and a no vote meant yes.



**Everett B. Carson '77**

Brownie agreed that there was a built-in confusion factor and the polling done by both sides confirmed this, he said. "People's gut reaction was that a no vote was a vote to stop the widening, and so our strategy was to emphasize and educate what a no vote meant."

Those in favor of the referendum were also criticized for confusing people by pairing a vote on turnpike widening with a vote on establishing a new transportation policy. "Our theory was very simple," Brownie said. The environmental community is often criticized for being against things and chided for not being for things. We made a conscious decision not only to stop the widening but also to propose an alternative that is designed to prevent the kind of unwise decision that the turnpike widening represented from making it through the transportation bureaucracy and to give Maine a policy which focuses on more energy-efficient, less polluting, practical, cost-effective alternatives to building new roads. I hasten to add, this is not a no-road, no-growth proposal."

Referendum question #1 passed by a wide margin. It calls for the legislation implementing the policy to be written within a year. The various

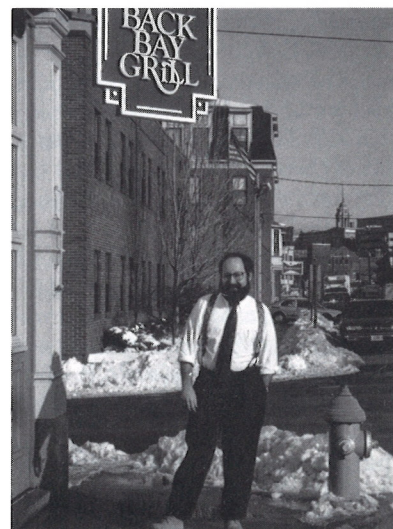
groups interested in writing those rules have made a commitment to work together "putting flesh on the bones of the policy," Brownie said. He added that "Maine is clearly leading the country." The policy pending in Congress includes similar language about alternatives to roads being evaluated.

**Joel Freund '77** says he knew he didn't want to practice law after the first few days of law school. But people told him the first year was the worst and so he stayed ... and then for the second ... and then the third. "I tend to follow through on things," he said. He kept following through; he took and passed the bar. "Somehow it seemed silly to go through law school and not take the bar."

He went from taking the bar to tending bar, and has been in the restaurant business ever since, although he did once find it useful to be a lawyer when involved in a disagreement.

When the Back Bay Grill first opened in 1988, Joel was the maitre d'; he became its owner in 1990. The Back Bay Grill was recently selected by Maine Times readers as the best in the state. "Service and a great chef," they said.

Much of the credit for the way people feel about the restaurant goes to Joel, who sets its tone and character. "My job is to see that people enjoy the experience — the food, the service, the atmosphere — the entire experience," he said. The Back Bay Grill is surviving the recession well because those who eat there think he's doing his job very well. ■



**Joel Freund '77 in front of his Portland restaurant, the Back Bay Grill**



## 13th Annual Road Race

The 13th Annual Road Race was held on September 27. Professor L. Kinvin Wroth fired the starting gun as seventy-two runners lined up to complete the 4-mile course around Portland's Back Cove. Participating were 44 students, 20 alumni, 6 friends and spouses and 2 faculty, Orlando Delogu and Don Zillman. Last year's winner Andy Black '93 once again finished in first place with Gordon Scannell '85 and Bruce Nicholson '92 taking second and third. The first woman to cross the finish line was noted local runner Erin Maclean, friend of the Law School, with Margaret Timothy '92 and Susan Clark '94 finishing in second and third place. Dean Zillman was the first faculty finisher. After the race, runners returned to the Law School for refreshments and an "awards ceremony." Credit goes to Professor Orlando Delogu for organizing the race. ■



*Women's winner Erin MacLean, wife of Andy '91.*



*Men's winner Andy Black '93 with Road Race organizer, Professor Orlando Delogu.*

1. Andrew Black '93	21:30	37. Emily Broadhead '94	29:59
2. Gordon Scannell '85	22:06	38. Sarah Smith '94	30:01
3. Bruce Nicholson '92	22:16	39. Kristin Aiello '94	30:11
4. Sam Merrill '75	22:56	40. Justina McGettigan '91	30:26
5. Walter McKee '93	23:10	41. Robert Levine '88	31:14
6. Rob Brooks '91	23:21	42. Jim Muir '94	31:20
7. Joe Welsh '93	24:06	43. Jim Katsiaficas '84	32:01
8. Jim Blood, friend	24:22	44. Robin Irving, friend	32:09
9. Peter Carlisle '94	24:45	45. Kathryn Reid '92	32:22
10. Duncan McEachern '68	25:16	46. Nell Walker '93	32:26
11. Gary Strootman '94	25:21	47. Patti Lerwick '90	32:30
12. Kaighn Smith '86	25:30	48. Dan Wathen '65	32:32
13. Scott Davis '75	25:46	49. Pat Donahue '92	32:35
14. Dan Riley '93	25:53	50. Joe Sudbay '92	32:40
15. Stephen Pelliccia '92	26:23	51. Richard Regan '94	32:56
16. Erin Maclean, friend	26:33	52. Donna Katsiaficas '84	33:26
17. Don Zillman, faculty	26:45	53. Wendy Spargo '94	33:54
18. Margaret Timothy, '92	26:54	54. Phil Stiles '79	34:04
19. Michael Spargo '94	27:35	55. Tom Bradley '92	34:12
20. Susan Clark '94	27:39	56. Beth Mooney '94	34:17
21. Paul Beach '94	27:41	57. Ronnee Hoffman '94	34:48
22. Mark Terison '78	27:42	58. Rob Jones '91	36:50
23. Trenton Sorrow '94	27:56	59. Claire Adami '91	37:26
24. Todd Lowell '94	28:03	60. Brett Harpster '94	41:30
25. George Guzzi '93	28:09	61. Cornelia Fisher '90	47:12
26. John Donahue, friend	28:22	62. Nancy Mackenzie '90	47:12
27. Michael Stoddard '92	28:34	63. Jennifer Cicchetti '90	48:00
28. Orlando Delogu, faculty	28:39	64. Lauren Griffin '93	50:00
29. Derry Rundlett '73	28:40	65. Liz Mullins '93	54:12
30. Royce Albert '94	29:03	66. Michelle Bushey '93	54:12
31. Laura Ross '94	29:08	67. Jodie Stevens '94	
32. David Bischoff '94	29:14	68. Mike Sullivan, friend	
33. Kenneth Fredette '94	29:39	69. Gwen Page '94	
34. John McGettigan, friend	29:43	70. Lynn Barry '94	
35. Michael Zabarsky '94	29:51	71. Liz Caiazzzi '94	
36. Noah Wuesthoff '94	29:58	72. Rachelle Parise '94	



*Dan Wathen '65 approaches finish line.*



*Alumni runners: Gordon Scannell '85, Sam Merrill '75 and Duncan McEachern '68.*



*Dean Zillman with the members from the "2Ls from Hell" class challenging him who crossed the finish line ahead of him: Walt McKee, Andrew Black, Dan Riley and Joe Welch, all '93.*



## Response to Alumni Questionnaire

Over 300 alumni took the time to answer the questionnaire recently mailed to all alumni, asking for views and comments on alumni activities. Almost everyone said they read the Alumni Quarterly, and two-thirds of those responding said they would like to see a "Letters to the Editor" section.

Many suggestions were made about including new items in the newsletter, including alumni address updates, more articles on alumni, more pictures, articles by alumni on substantive issues. (The editor needs to receive more information to fulfill these wishes).

Slightly over 100 of those responding have been to a recent Annual Dinner, and almost everyone said they had a good time. Suggestions about making the event better included scheduling it on a Saturday night (which was done this year), always including a panel discussion on a timely issue, mailing notices earlier, encouraging more faculty to attend (almost all attended this year), keeping the cost down and encouraging class events along with it.

As for regional gatherings, twice as many people said they preferred to keep them separate from local bar events. Some suggested combining lunch with a panel or workshop.

Many alumni expressed an interest in becoming involved with the Law

School. About 60 said they might like to serve on the Alumni Association Board. More than 100 said they would like to participate in first-year orientation by talking about their area of professional expertise. Another large group said they would be interested in attending a social event for students at the Law School. An even larger number said they would be interested in participating in a Law School class to supplement the instructor. Almost all respondents said they would be willing to talk with students interested in their area of practice or students from their geographic area.

In addition, many alumni said they would like to become involved in Law School/faculty/student activities such as moot court judging, participation in panels for students, teaching, working with the Women's Law Association, establishing a program between the Law School and the University of New England College of Osteopathic Medicine, even fund raising! Suggestions for additional activities included seminars about the "real world," discussions of significant current legal issues, a Friday-Saturday conference on substantive issues, seminars for trial judges and lectures open to the community. ■

## Graduate Appointed to State Unemployment Insurance Commission

John B. Wlodkowski '64 of Augusta has been appointed by Governor McKernan, with the approval of the Maine Senate, to the Maine State Unemployment Insurance Commission. He has held county, state and federal legal posts and served as chief counsel of the Maine Department of Transportation from 1977 to 1983. ■

## Graduates Appointed Judges

Rae Ann French '72 has been appointed District Court Judge at-large. She has worked as an assistant attorney general since 1972, where she moved from the state consumer and antitrust division to the criminal division. Nancy Diesel Mills '82, who has been in private practice since 1982 and has worked as a part-time assistant district attorney since 1986, has been appointed District Court Judge at-large. ■

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